

In the High Court of Punjab and Haryana, Chandigarh

C.W.P. No. 14363 of 2006

Date of Decision: September 8, 2006

Om Parkash

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR
HON'BLE MR. JUSTICE P.S. PATWALIA

PRESENT: Mr.Naveen Daryal, Advocate,
for the petitioner.

JUDGMENT

M.M. KUMAR, J. (Oral)

This petition filed under Article 226 of the Constitution prays for issuance of a writ in the nature of mandamus directing the respondents to release him the benefits i.e. pension, gratuity, leave encashment, provident fund, GIC, D.A., Higher Standard pay scale, revision of pay scale from 1.1.1996 and 1st and 2nd ACP to the petitioner with all consequential benefits along with interest @ 18% p.a. from the date of approval till realization. A further prayer has been made to direct the respondents to fix the pay of the petitioner after granting benefit of 1st and 2nd ACP as per the provisions of Rule 5 of the Haryana Civil Services (Assured Career Progression) Rules, 1998 and to release the arrears with al consequential benefits along

with interest @ 18% p.a. from the date of accrual till the date of actual payment and not to effect any recovery from the pay of the petitioner due to wrong fixation.

For the relief claimed in the instant petition, the petitioner has sent a legal notice, dated 10.2.2006 (P-5) to the respondents.

Without going into the merits of the case, we deem it just and appropriate to direct the respondents to take cognizance of the legal notice, dated 10.2.2006 (P-5) sent by the petitioner and decide the same expeditiously preferably within a period of four months from the date a certified copy of this order is presented to them. If the claim of the petitioner is found to be meritorious and decided in his favour then the benefits accruing to him shall be disbursed within a further period of three months thereafter. It shall be appreciated if a speaking order is passed.

Petition stands disposed of in the above terms.

(M.M. KUMAR)
JUDGE

(P.S. PATWALIA)
JUDGE

September 8, 2006

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